



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON-STUTTGART
UNIT 30401
APO AE 09107-0401

07 DEC 2006

IMEU-STU-LG

MEMORANDUM FOR Service Members, Civilian Employees, and Family Members Residing in the USAG-Stuttgart Area of Responsibility

SUBJECT: USAG-Stuttgart Command Policy Letter #52, Official Use of Non-Tactical Vehicles (NTV) and TDY Rental Vehicles

1. References:

- a. DoD 4500.36-R, Management, Acquisition, and Use of Motor Vehicles, March 1994.
- b. AR 58-1, Management, Acquisition, and Use of Motor Vehicles, 10 August 2004.
- c. Secretary of the Army Memorandum, Policy for Travel by Department of the Army with Supplemental Guidance for Army Personnel Located in the National Capital Region, 26 March 2003.
- d. Army in Europe Regulation 58-1, Management, Acquisition, and Use of Non-Tactical Vehicles, 27 January 2003.

2. Purpose: To provide specific guidance on official use of NTVs and TDY rental vehicles.

3. Policy:

- a. NTVs may be used for official purposes only. DoD policy is to resolve questions on official use in favor of strict compliance with law and regulation. Because each situation is fact-specific, Commanders are encouraged to consult with a Judge Advocate.
- b. Determination of official use takes into account all factors, including whether the use is essential for successful completion of a DoD function, activity, action, or operation, *and* whether the use is consistent with the purpose for which the vehicle was acquired.

c. The following uses of NTVs are NOT official:

(1) Personal errands or side trips for unofficial purposes by military personnel, civilian employees, or their family members. This includes using the NTV to pick-up personal mail, making a stop at the PX or Commissary for personal reasons, making a lunch run to any eating establishment. This also includes making trips to stock up office “snack bars”.

(2) Transportation of spouse or visitors without an accompanying DoD sponsor on official business.

(3) Transportation to *private* social functions. Transportation to *official* after-hours functions, e.g., official meetings, presentations, or speeches, requires prior approval from the traveler’s supervisor as an exception to policy. In addition, travel must begin and end at the normal place of duty.

d. Other specific statutory, DoD, and DA guidance on official use:

(1) Transportation may not be provided solely for reasons of rank, position, prestige, or personal convenience.

(2) Home-to-work transportation violates federal law, except as specifically provided for by law or personally approved by the Secretary of the Army (designated positions and by-name designations). Travel to an official function, other than for TDY travel, that begins or ends at the traveler’s home is considered home-to-work transportation.

(3) TDY status does not necessarily justify NTV travel. NTV use is predicated on need, distance, and other conditions, including availability of public transportation. When NTV use is authorized at the TDY site, the NTV may be used for transportation between TDY lodgings and the duty site. Transportation to entertainment or recreational facilities is prohibited, but if public transportation is impractical, the NTV may be used to travel to local restaurants, places of worship, drugstores, barber shops, laundries, physical training facilities, and similar places for health and comfort.

(4) Transportation between home or place of duty and commercial or military terminals is generally not allowed unless the terminal is located where non-US Government means of transportation (e.g., scheduled train or bus service) are unavailable. However, to meet Army in Europe sponsorship requirements, retention, and quality of life, commanders may allow sponsors to use NTVs to pick up soldiers/civilians at commercial or military terminals when they arrive or depart the country. Before authorizing use of NTVs for this purpose, commanders must consider and determine that the sponsorship bus (S-bus) does not satisfy mission requirements.

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(5) Commanders may also authorize NTVs to accomplish in-and-outprocessing activities when DoD-scheduled transportation (e.g., shuttle buses) or public transportation is not capable of responsively meeting mission requirements. Commanders may not base a decision to authorize use of an NTV on the rank or position of the incoming soldier/civilian or of the sponsor.

(6) The general rule is that spouses or other family members will not accompany Government employees on official business at Government expense. The spouse of a Government employee *may* travel in an NTV when:

(a) Accompanying an official traveler to an official event when there is space available in the vehicle and the Government incurs no additional cost (i.e., official passengers are not bumped and a larger vehicle is not used to make room for the spouse).

(b) Required for reasons of security.

(7) A spouse may travel at Government expense in the spouse's own right when:

(a) Supporting an official volunteer program and the use of an NTV is part of the volunteer job description (such as a registered volunteer with a family support group or ACS, when the volunteer job description includes the use of an NTV).

(b) Conferring with DoD officials on DoD matters and performing a direct service to DoD (e.g., speaking at the Senior Officer Training Program). Orders may be issued by the sponsoring command after consultation with the servicing Judge Advocate.

(c) Attending service-endorsed training courses or briefings (e.g., Pre-Command Course, Brigadier General Training Course, anti-terrorist training course).

(8) Transportation *may* be approved for group activities such as installation athletic team events, DMWR activities, and chaplains' programs when the commander determines that failure to provide transportation would have an adverse effect on morale and transportation assets are available.

(9) It is everyone's responsibility to report vehicle misuse/abuse and speeding violations to the USAG-Stuttgart Transportation Officer, DSN 421-2452, Commercial 0711-729-2452. Information required is: "What," "When," "Where" and vehicle license number.

e. Vehicle Operating Procedures. It is essential that operators fully recognize and comply with the following:

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(1) Possess a valid Government Motor Vehicle License, OF 346. Operators must also maintain a DA 348, Equipment Operator's Qualification Record. The DA 348 must reflect current Accident Avoidance Training—required every 4 years. The OF 346 must be stamped with Winter Driving to be eligible to operate during the winter season. Classes are available through the Driver Testing Station, 430-8755.

(2) Ensure that a copy of SF Form 91, Accident Reporting Form, is in the vehicle prior to leaving the TMP. The SF Form 91 must be turned into the TMP within 24 hours of the accident. The SF Form 91, in all accidents involving a backing incident, must include a statement as to whether a ground guide was used or not and the reason if there was not.

(3) Comply with all safety precautions, posted speed limits and local traffic regulations. Drivers will use a ground guide while backing up when at least one other passenger accompanies the driver.

(4) **Smoking or drinking in an NTV is strictly prohibited.**

f. TDY Rental Vehicles:

(1) Vehicles rented by Government employees, when the employee pays the rental company directly and is later reimbursed under TDY orders, are not Government vehicles for purposes of official use restrictions. Reimbursement is limited to costs associated with official use of the vehicle. Any costs for off-duty, unofficial use are the employee's personal expense (for example, gas, mileage, and insurance).

(2) Vehicles rented under a Government contract, for which the employee does not pay and claim reimbursement, are Government vehicles and are restricted to official use only.

4. The point of contact is the DOL Transportation Officer, DSN 421-2472.


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Commanding